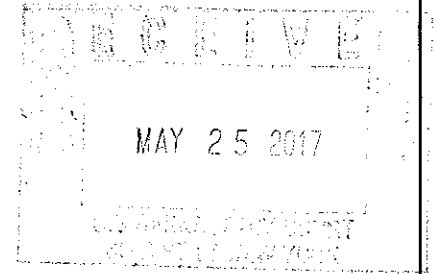


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6 *Attorney In Propria Personum*



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8
9 IN THE UNITED STATES BANKRUPTCY COURT
10 FOR THE SOUTHERN DISTRICT OF NEW YORK
11 MANHATTAN DIVISION

12 *IN RE:*
13
14
15 RESIDENTIAL CAPITAL, LLC, *ET AL.*
16
17 DEBTORS.)
18) BANKRUPTCY CASE No. 12-12020-MG
19) CHAPTER 11
20)
21) Jointly Administered
22) (Executive Trustee Services, Case No. 12-
23) 12028)
24)
25) **NOTICE OF APPEAL AND STATEMENT**
26) **OF ELECTION FROM AN ORDER OF**
THE U.S. BANKRUPTCY COURT IN AND
FOR THE SOUTHERN DISTRICT OF
NEW YORK
CLAIM NO. 4445

20 **NOTICE IS HEREBY GIVEN** that claimant ALAN MOSS hereby appeals to the
21 United States District Court for the Southern District of New York from the Order
22 entered May 16, 2017 (ECF Doc. #10390) .

23 In conformity with Official Bankruptcy Form 17A and FRBP 8002,
24 claimant submits the following:

25 ///
26

PART I.: IDENTIFY THE APPELLANT:

1. NAME OF APPELLANT:

ALAN I. MOSS

P.O. Box 721

Moss Beach CA 94038

**2. POSITION OF APPELLANT IN THE ADVERSARY PROCEEDING OR
BANKRUPTCY CASE THAT IS THE SUBJECT OF THIS APPEAL:**

CLAIMANT.

PART II.: IDENTIFY THE SUBJECT OF THIS APPEAL:

1. DESCRIBE THE JUDGMENT, ORDER OR DECREE APPEALED FROM:

“MEMORANDUM OPINION AND ORDER SUSTAINING THE
RESCAP BORROWER CLAIMS TRUST’S OBJECTION TO CLAIM
No. 8334[STET] FILED BY ALAN I. MOSS”

**2. STATE THE DATE ON WHICH THE JUDGMENT, ORDER OR DECREE WAS
ENTERED:**

MAY 16, 2017.

PART III.: IDENTIFY THE OTHER PARTIES TO THE APPEAL:

1. PARTY:

ALAN I. MOSS

Attorney: *In Propria Personum*

2. PARTY:

RESCAP BORROWER CLAIMS TRUST

1 Attorney: Morrison & Foerster LLP

2 250 West 55th Street

3 New York NY 10019

4 By: Norman S. Rosenbaum, Esq.

5 Jordan A. Wishnew, Esq.

6 Jessica J. Arett, Esq.

7
8 **PART IV. OPTIONAL ELECTION TO HAVE APPEAL HEARD BY DISTRICT COURT:**

9 Appellant elects to have the appeal heard by the United States District Court
10 rather than by the Bankruptcy Appellate Panel.

11
12 Respectfully submitted,

13
14 Dated: **May 23, 2017**

15 
ALAN MOSS

16 *In Propria Personum*
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PROOF OF SERVICE

COURT: U.S. BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

CASE NAME: RESCAP

ACTION NO.: BANKRUPTCY NO. 12-12020-MG

I am employed in the County of San Francisco, California. I am over the age of 18 and not a party to the within action. On this date, I served the foregoing document(s) described as:

NOTICE OF APPEAL AND STATEMENT OF ELECTION FROM AN ORDER OF THE U.S. BANKRUPTCY COURT IN AND FOR THE SOUTHERN DISTRICT OF NEW YORK

on the party(ies) set out in said document by causing a true copy thereof to be:

☐ By U.S. priority OVERNIGHT mail, by placing said document(s) in a sealed envelope with first class postage thereon fully prepaid, and then deposited in a U.S. Post Office.

☐ By U.S. mail, Return Receipt Requested, by placing said document(s) in a sealed envelope with appropriate postage thereon fully prepaid and then placed in the designated office area for outgoing mail.

☒ Sent via Priority overnight mailing, by handing said document in a sealed envelope to an agent for the USPS or FEDEX for overnight delivery.

and if mailed, addressed as follows and sent to the following address(es):

Clerk's Office(Appeals Section)
U.S. Bankruptcy Court in and for the
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York New York 10004-1408

Morrison and Foerster LLP
ATTN: Norman S. Rosenbaum
250 West 55th Street
New York New York 10019

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 24th day of May, 2017, at San Francisco, California.